

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1120

To provide that periods of training in the Cadet Nurse Corps during World War II be made creditable for Federal retirement purposes with respect to annuitants and certain other individuals not included under Public Law 99-638.

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## IN THE SENATE OF THE UNITED STATES

JUNE 16 (legislative day, JUNE 15), 1993

Mr. SHELBY introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To provide that periods of training in the Cadet Nurse Corps during World War II be made creditable for Federal retirement purposes with respect to annuitants and certain other individuals not included under Public Law 99-638.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “World War II Cadet  
5 Nurse Civil Service Fairness Act”.

1 **SEC. 2. ELIGIBILITY OF ANNUITANTS.**

2 (a) CONDITIONS FOR ANNUITY REDETERMINATIONS  
3 GENERALLY.—Subject to subsection (b) and the following  
4 sentence, in the case of any individual who—

5 (1) engaged in at least one year of training as  
6 a student or graduate nurse under a plan approved  
7 under section 2 of the Act of June 15, 1943 (57  
8 Stat. 153), and

9 (2) was separated from service as an employee  
10 (within the meaning of section 8331(1) of title 5,  
11 United States Code) before the date of the enact-  
12 ment of this Act,

13 any annuity under subchapter III of chapter 83 of such  
14 title, based on the service of such individual, shall be rede-  
15 terminated by taking into account, and treating as creditable  
16 service, any period of such training engaged in by such  
17 individual. An individual shall be ineligible for consider-  
18 ation under this section if such individual could have quali-  
19 fied for a redetermined annuity under the first section of  
20 Public Law 99-638.

21 (b) APPLICATION AND DEPOSIT REQUIREMENTS.—  
22 This section shall not apply with respect to any individual  
23 satisfying subsection (a) unless, within fourteen months  
24 after the date of the enactment of this Act, such individ-  
25 ual—

1           (1) submits appropriate written application to  
2           the Office of Personnel Management in such form  
3           and manner as the Office may prescribe; and

4           (2) makes an appropriate deposit in accordance  
5           with section 8334(c) of title 5, United States Code,  
6           with respect to the period of training involved.

7           (c) PROSPECTIVE APPLICABILITY.—Any change in  
8           an annuity resulting from a redetermination under sub-  
9           section (a) shall be effective only with respect to amounts  
10          accruing for months beginning after the requirements of  
11          paragraphs (1) and (2) of subsection (b) have been met  
12          by the individual involved.

13       **SEC. 3. ELIGIBILITY OF CERTAIN OTHER INDIVIDUALS.**

14          (a) IN GENERAL.—In the case of any individual who  
15          engaged in at least one year but less than two years of  
16          training (as described in section 1(a)(1)), the total period  
17          of such training shall be treated as creditable civilian serv-  
18          ice for purposes of subchapter III of chapter 83, or chap-  
19          ter 84, of title 5, United States Code, as applicable, if—

20               (1) within fourteen months after the date of the  
21               enactment of this Act, such individual submits ap-  
22               propriate written application to the Office of Person-  
23               nel Management in such form and manner as the  
24               Office may prescribe;

1           (2) at the time of filing the application under  
2           paragraph (1), such individual is employed by the  
3           Government and subject to subchapter III of chapter  
4           83, or chapter 84, of such title; and

5           (3) before the date of the separation on which  
6           is based the individual's entitlement to an annuity  
7           under subchapter III of chapter 83, or chapter 84,  
8           of such title, as applicable, such individual deposits  
9           into the Civil Service Retirement and Disability  
10          Fund the amount required under subsection (b) with  
11          respect to the period of training involved.

12          (b) DEPOSIT REQUIREMENT.—The amount to be de-  
13          posited under subsection (a)(3) shall be determined by the  
14          Office of Personnel Management in a manner consistent  
15          with applicable provisions of subchapter III of chapter 83,  
16          or chapter 84, of title 5, United States Code, or title III  
17          of the Federal Employees' Retirement System Act of  
18          1986, as the case may be, relating to deposits for earlier  
19          periods of civilian service for which deductions from basic  
20          pay have not been made.

21       **SEC. 4. REGULATIONS.**

22          The Office of Personnel Management shall, not later  
23          than two months after the date of the enactment of this  
24          Act, prescribe regulations to carry out this Act.

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